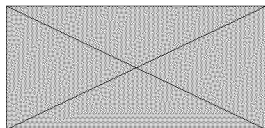


To: Smith, Bonnie[smith.bonnie@epa.gov]
From: Environmental Law360
Sent: Mon 1/13/2014 9:40:43 AM
Subject: High Court Takes Up CERCLA Preemption Battle



ENVIRONMENTAL

Monday, Jan. 13, 2014

TOP NEWS

High Court Takes Up CERCLA Preemption Battle

The U.S. Supreme Court agreed Friday to hear a Comprehensive Environmental Response, Liability and Compensation Act case involving North Carolina landowners seeking to bypass a state statute of repose to sue an electronics manufacturer over well water contaminated with carcinogenic solvents.

5th Circ. Upholds BP's \$9B Deepwater Settlement

The Fifth Circuit on Friday upheld a district court's order and judgment approving BP PLC's multibillion-dollar settlement of claims for lost business tied to the Deepwater Horizon disaster, saying a lower court judge didn't need to determine whether some eligible class members lacked an injury caused by the spill.

Feds Probe Chemical Spill Blamed For Tainted Drinking Water

The U.S. Department of Justice on Friday launched an investigation into a massive chemical spill that contaminated drinking water for hundreds of thousands of West Virginians and led federal and state officials to declare a state of emergency across nine counties.

W.Va. Chemical Spill Triggers Multiple Class Actions

Organizations In The News

LAW FIRMS

Adam Leitman

Adams Hendon

Akerman

Anderson Kill

Arnold & Porter

Baker Botts

BakerHostetler

Barnes & Thornburg

Berry Appleman

Boies Schiller

Brooks Kushman

Budd Larner

Cadwalader Wickersham

Cleary Gottlieb

Constangy Brooks

Covington & Burling

Cravath Swaine

DLA Piper

Chemical maker Freedom Industries Inc. and water company West Virginia-American Water Co. were hit with a host of proposed class actions in West Virginia state court Friday, following a massive coal processing chemical spill that contaminated drinking water across nine counties.

Dentons
Dewey & LeBoeuf
Diamond McCarthy
Dinsmore & Shohl

Obama Taps Longtime USGS Scientist As New Director

Domengeaux Wright

President Barack Obama said Thursday that he will nominate Suzette Kimball to take over as director of the U.S. Geological Survey, a position in which she would provide scientific advice on natural resource management and climate change issues to the U.S. Department of the Interior.

Dykema Gossett
Epstein Becker Green
Faegre Baker
Fisher & Phillips

POLICY & REGULATION

Fowler White Boggs

Atlantic Drilling Study Moving Ahead, DOI Official Says

Frommer Lawrence

Gibson Dunn

A U.S. Department of the Interior official told House lawmakers on Friday that the Obama administration is only about a month away from completing an environmental study of seismic survey activities off the Atlantic coast, which could open the door to offshore oil and gas drilling in the area.

Goodwin Procter
GrayRobinson
Greenberg Glusker
Greenberg Traurig

FERC Says \$6B Cameron LNG Project Will Have Limited Impact

Gruber Hurst

Herman Herman

The Federal Energy Regulatory Commission said Friday that oil and gas giant Cameron's proposed \$6 billion natural gas liquefaction and export facility in Louisiana would have some harmful effects on the environment, but the impact would not be significant if Cameron makes good on recommended mitigation measures.

Hirschler Fleischer
Howard & Howard
Hunton & Williams
Jones Day

Fla. Sens. Back \$380M Draft Bill For Springs Cleanup

Kaplan Fox

Kasowitz Benson

Several prominent Florida state senators have signaled their support Thursday for draft legislation that would provide about \$378 million from a state real estate tax for improvement of wastewater treatment and septic tanks in an effort

Kaye Scholer
Keating Muething

to preserve Florida's freshwater springs and groundwater.

Keogh Cox

Fla. Reps Fight For Deeper Jacksonville Port As Vote Nears

Kirkland & Ellis

Liskow & Lewis

With Congress nearing a key vote, two members of Florida's House delegation are making another push to add a critical deepening project for Jacksonville's port to the list of approved projects in the Water and Resources and Reform Development Act Conference Report.

Loeb & Loeb

Mayer Brown

McAndrews Held

McDonnell Boehnen

Coast Guard Floats Updated Offshore Fire Safety Rules

Neal Gerber

The U.S. Coast Guard on Friday proposed to update decades-old fire safety rules for facilities on the Outer Continental Shelf including mobile offshore drilling units and deepwater ports, as well as inspected and uninspected vessels, in an effort to keep up with technological advances in fire protection.

Paul Weiss

Perkins Coie

Pillsbury Winthrop

Proskauer Rose

NJ Commision Rejects Pinelands Gas Pipeline Agreement

Quarles & Brady

Quinn Emanuel

A New Jersey commission on Friday voted down a memorandum of agreement, putting a major roadblock in front of plans to build a 22-mile natural gas pipeline to repower an electric power plant, part of which would have gone through the environmentally protected New Jersey Pinelands region.

Ropes & Gray

Schnader Harrison

Schulte Roth

Shearman & Sterling

Virginia Mulls Restriction On Conservation Tax Credit

Sidley Austin

Sills Cummis

A proposal introduced Thursday in Virginia's legislature would tighten restrictions on the state's conservation land tax credit, preventing individuals and corporations that donate land but keep a stake in any oil or gas that could be mined from it from claiming the credit.

Simpson Thacher

Skadden

Susman Godfrey

LITIGATION

Thompson & Knight

Ungaretti & Harris

Supreme Court Asked To Reject FERC Oversight Preemption

Venable LLP

A group of homeowners told the U.S. Supreme Court on Tuesday they should be allowed to sue over property losses sustained after the Federal Energy Regulatory Commission authorized Entergy Corp. to release water held back by a dam on the Texas-Louisiana border.

Vinson & Elkins

Webb Law Firm

Weil Gotshal

Willkie Farr

Phillips 66 Pays Utah \$2M To Settle Cleanup Fund Suit

Wilson Elser

Winston & Strawn

Phillips 66 Co. has paid \$2 million to Utah to settle allegations that it unlawfully took money from a state fund to pay for cleanup costs stemming from leaking storage tanks despite already having its own environmental pollution insurance, the state said Friday.

COMPANIES

American Bar Association

American Heart Association

Green Groups Call Shell's Arctic Drilling Plan Incomplete

American International Group Inc.

BP p.l.c.

The Alaska Wilderness League, Greenpeace and other conservation groups told the U.S. Department of the Interior's Bureau of Ocean Energy Management on Thursday that Shell Gulf of Mexico Inc.'s revised exploration plan for the Chukchi Sea was incomplete and flawed.

Blue Cross and Blue Shield Association

BlueCross BlueShield of Florida

CTS Corporation

FHWA Seeks To Nix Enviro Challenge Of \$3B Road Project

Center for Biological Diversity Inc.

Chevron Corporation

The U.S. Federal Highway Administration moved to kill several conservation groups' efforts to block part of a \$3 billion expansion to Interstate 69, asking an Indiana federal court Thursday to nix the groups' preliminary injunction and issue a summary judgement in the FHWA's favor.

Defense Research Institute

Entergy Corporation

Ford Foundation

NYU, Enviros Clash Over Halted \$6B Expansion On Parkland

Friedman LLP

Insurance Australia

New York University and opponents to its expansion may clash again over their interpretation of Tuesday's state court order blocking the \$6 billion construction on public parkland until state legislators give their approval.

Jacksonville Port Authority

NCR Corporation

Natural Resources Defense Council

Reinsurer Wants AIG Unit's Liability Affirmed In NCR Cleanup

Pfizer Inc.

Phillips 66

Everest Reinsurance Co. has filed a petition asking a New York federal court to confirm an arbitration panel's dismissal of claims brought by an American International Group Inc. unit for costs related to contamination of the Fox River in Wisconsin, according to a court document released Wednesday.

Prudential

Sierra Club

GOVERNMENT AGENCIES

Q&A

Army Corps of Engineers

Bureau of Ocean Energy Management

Female Powerbrokers Q&A: Fowler White's Rhea Law

Bureau of Safety and Environmental Enforcement

One of my first jobs as a lawyer was to represent a phosphate company in environmental permitting. Upon visiting the mine for a site inspection, I was immediately discounted, and it was suggested that a mine was "not an appropriate place for a girl," says Rhea Law, CEO and chairwoman of Fowler White Boggs PA.

Department of the Interior

Environmental Protection Agency

Federal Energy Regulatory Commission

EXPERT ANALYSIS

Federal Highway Administration

EPA May Not Agree With Expanded Ozone Transport Region

Fish and Wildlife Service

International Trade Commission

Recently, eight downwind states petitioned the U.S. Environmental Protection Agency to tighten regulation on interstate air pollution transportation under the Clean Air Act — which would place a greater burden on coal-fired generation and afford less flexibility to states and sources. The EPA's response will likely be driven by the Supreme Court's decision in EPA v. EME Homer City Generation, expected by June, say Jay Holloway and Stephanie Sebor of Winston & Strawn LLP.

National Park Service

Occupational Safety and Health Administration

The White House

U.S. Army

U.S. Coast Guard

Takings Clause Takes Center Stage In NY Fracking Dispute

U.S. Department of Justice

U.S. Supreme Court

New York may soon face a new legal challenge to its 2008 moratorium of hydraulic fracturing to extract natural gas from shale formations. Plaintiff

of Baker & Hostetler LLP.

LEGAL INDUSTRY

Law360 Names Attys Who Moved Up The Firm Ranks In Q4

A promotion to partner or election to practice group chair means a slew of new responsibilities and also lots of well-deserved recognition. Law360 reveals the list of attorneys whose commitment to legal excellence earned them highly coveted spots in the law firm leadership ranks. Find out if a law school buddy — or rival — moved up in the fourth quarter of the year, and let the office chatter begin.

In Case You Missed It: Hottest Firms And Stories On Law360

For those who missed out, here's a look back at the law firms, stories and expert analyses that generated the most buzz on Law360 last week.

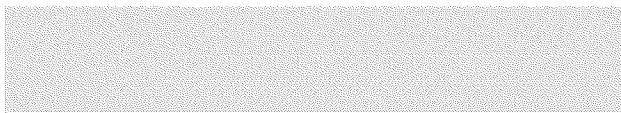
Dewey Continues Clawback Spree With \$12M Adversary Suit

Dewey & LeBoeuf LLP's trustee hit a former partner with an adversary complaint for nearly \$13 million in New York bankruptcy court Friday, claiming the partner continued to receive bonuses and other distributions after the firm's insolvency based on profits that never materialized.

Weil Loses Corporate Governance Pro Gregory To Sidley

Following months of upheaval and partner exits at Weil Gotshal & Manges LLP last year, the firm has in recent weeks suffered another round of attorney departures, including the resignation last month of noted corporate governance partner Holly Gregory.

Kasowitz Latest To Fall In Line With Cravath Bonus Scale



ORGANIZATIONS IN THE NEWS

LAW FIRMS

Gibson Dunn

Proskauer Rose

Sidley Austin

Covington & Burling

Kirkland & Ellis

Winston & Strawn

Cadwalader Wickersham

Greenberg Traurig

Jones Day

Kasowitz Benson

Paul Weiss

Perkins Coie

Quinn Emanuel

Skadden

Adam Leitman

Adams Hendon

Akerman

Anderson Kill

Arnold & Porter

Baker Botts

BakerHostetler

Barnes & Thornburg

Berry Appleman

Boies Schiller

Brooks Kushman

Budd Larner

Cleary Gottlieb

Constangy Brooks

Cravath Swaine

DLA Piper

Dentons

Dewey & LeBoeuf

Diamond McCarthy

Dinsmore & Shohl

Domengeaux Wright

Dykema Gossett

Epstein Becker Green

Faegre Baker

Fisher & Phillips

Fowler White Boggs

Frommer Lawrence

Goodwin Procter

GrayRobinson

Greenberg Glusker

Gruber Hurst

Herman Herman

Hirschler Fleischer

Howard & Howard

Hunton & Williams

Kaplan Fox

Kaye Scholer

Keating Muething

Keogh Cox

Liskow & Lewis

Loeb & Loeb

Mayer Brown

McAndrews Held

McDonnell Boehnen

Neal Gerber

Pillsbury Winthrop

Quarles & Brady

Ropes & Gray

Schnader Harrison

Schulte Roth

Shearman & Sterling

Sills Cummis

Simpson Thacher

Susman Godfrey

Thompson & Knight

Ungaretti & Harris

Venable LLP

Vinson & Elkins

Webb Law Firm

Weil Gotshal

Willkie Farr

Wilson Elser

COMPANIES

BP p.l.c.

American Bar Association

Natural Resources Defense Council

Sierra Club

American Heart Association

American International Group Inc.

Blue Cross and Blue Shield Association

BlueCross BlueShield of Florida

CTS Corporation

Center for Biological Diversity Inc.

Chevron Corporation

Defense Research Institute

Entergy Corporation

Ford Foundation

Friedman LLP

Insurance Australia

Jacksonville Port Authority

NCR Corporation

Pfizer Inc.

Phillips 66

Prudential

GOVERNMENT AGENCIES

U.S. Supreme Court

Department of the Interior

Army Corps of Engineers

Environmental Protection Agency

U.S. Army

U.S. Department of Justice

Bureau of Ocean Energy Management

Bureau of Safety and Environmental Enforcement

Federal Energy Regulatory Commission

Federal Highway Administration

Fish and Wildlife Service

International Trade Commission

National Park Service

Occupational Safety and Health Administration

The White House

U.S. Coast Guard

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